

Attorney Docket No. _____

JUL 27 2004

COMBINED DECLARATION AND POWER OF ATTORNEY
(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT)

As below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name, I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Title: RECORDING CONTROL APPARATUS, RECORDING AND REPRODUCTION

APPARATUS, AND RECORDING CONTROL METHOD
the specification of which

(a) ___ is attached hereto.

(b) ☒ was filed on April 13, 2004 as ☒ Serial No. 10/823,264 or ___ Express
Mail No. _____, as Serial No. not yet known, and was amended on _____ (if applicable).

(c) ___ was described and claimed in PCT International Application No. _____ filed on
_____ and amended under PCT Article 34 on _____ (if any).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations §1.56(a).

PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

(d) ___ no such application have been filed.

(e) ☒ such applications have been filed as follows.EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 35 USC 119
<u>Japan</u>	<u>2003-108821</u>	<u>14/04/03</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

POWER OF ATTORNEY

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (List name and registration number)

Armand P. Boisselle, Reg. No. 22,381; Neil A. DuChes, Reg. No. 26,725; Mark D. Saralino, Reg. No. 34,243

The undersigned to this declaration and power of attorney hereby authorizes the U.S. attorney(s) named herein to accept and follow instruction from

Name(s) of authorized representation(s) Shusaku Yamamoto Patent Law Office
Address Fifteenth Floor, Crystal Tower, 1-2-27 Shiromi, Chuo-Ku, Osaka 540-6015 JAPAN

as to any actions to be taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. attorney(s) and the undersigned. In the event of a change in the person(s) from whom instructions may be taken, the U.S. attorney(s) will be so notified by the undersigned.

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Direct Telephone Calls To:
(name and telephone number)

Neil A. DuChez
(216) 621-1113

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued therein.

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CHECK FOR ANY OF THE FOLLOWING ADDED PAGE(S) WHICH
FORM A PART OF THIS DECLARATION

- ☐ Signature for fourth and subsequent joint inventors. Number of pages added ____.
- ☐ Added page to combined declaration and power of attorney for divisional, continuation, or continuation-in-part (CIP) application.
- ☒ This declaration ends with this page.